



04-07-03

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APR 09 2003

1624 #4
4/15/03
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | | |
|---------------------------|---|------------|--|
| Application No.: | 10/070,329 ✓ | Art Unit: | |
| Filed: | 3/5/2002 ✓ | Examiner: | |
| 1 st Inventor: | IKEMOTO | Allowed: | |
| For: | Process for the Preparation of 2,3-Dihydroazepine | Batch: | |
| | Compounds ✓ | | |
| Atty. Dkt. No. | 2645US0P | Paper No.: | |

Information Disclosure Statement

Commissioner for Patents
Washington, D.C. 20231
Sir:

Pursuant to 37 CFR §1.56, 1.97 and 1.98, applicants request consideration of the references listed on the attached form PTO-1449. A legible copy of each listed reference is enclosed.

Enclosed is a copy of the Supplemental European Search Report dated JAN 16, 2003, in which these references were first brought to the Applicant's attention less than three-months prior to filing this information disclosure statement.

Should the Examiner believe that a conference with applicants' attorney would advance prosecution of this application, the Examiner is respectfully invited to call applicants' attorney.

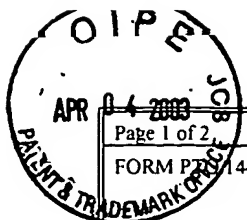
Respectfully submitted,

Dated: March 6, 2003

(847)383-3372
(847)383-3391

Mark Chao, Ph.D., Reg. No. 37,293
Elaine M. Ramesh, Ph.D., Reg. No. 43032
Attorney for Applicants
Customer No. 23115

Takeda Pharmaceuticals North America, Inc.
Intellectual Property Department
Suite 500, 475 Half Day Road
Lincolnshire, IL 60069 USA



#4

Page 1 of 2

FORM PTO/A 449 (modified)

ATTY DOCKET NO.:
2645USOPSERIAL NO.:
10/070,329U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE
LIST OF REFERENCES CITED BY APPLICANT(S)

(Use several sheets if necessary)

Date Submitted to PTO:

APPLICANT: IKEMOTO, T.

FILING DATE:
3/5/2002GROUP: tba
Examiner tbaRECEIVED
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U.S. PATENT DOCUMENTS

| *EXAMINER INITIAL | REF No. | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
|----------------------|------------|--------------------|------------|-----------------------|-------|----------|-------------------------------|
| | B1 | 4,952,573 | 8/28/1990 | G. LeClerc, et al. | 514 | 311 | |
| | B2 | 3,780,095 | 12/18/1973 | K. Klemm, et al. | 260 | 518 | |

FOREIGN PATENT DOCUMENTS

| *EXAMINER INITIAL | REF No. | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUBCLASS | TRANSLATION YES NO |
|----------------------|------------|--------------------|------------|---------|-------|----------|-----------------------|
| | B3 | EP 0344724 | 12/6/1989 | EP | | | |
| | B4 | EP 0792874 | 9/3/1997 | EP | | | |
| | B5 | EP 0561175 | 9/22/1993 | EP | | | |
| | B6 | GB 1417273 | 12/10/1975 | GB | | | |
| | B7 | WO 97/22589 | 6/26/1997 | WIPO | | | |
| | B8 | FR 2.098.587 | 3/10/1972 | FR | | | No |
| | B9 | FR 1.604.832 | 4/17/1972 | FR | | | No |

OTHER DOCUMENT(S)

| *EXAMINER INITIAL | REF No. | AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC. |
|----------------------|------------|---|
| | B10 | Gupta, et al... "Biosynthesis of Lobinaline" CANADIAN JOURNAL OF CHEMISTRY. 49: 384-397 (1971) |
| | B11 | Reppe, et al. LIEBIGS ANNALEN DER CHEMIE 596: 216-217(1955) No translation |
| | B12 | Blackburn, et al. "The Use of buffered Columns in the Chromatographic Separation of 2:4-Dinitrophenyl Amino-acids" BIOCHEM. J. 45: 579-584 (1949) |
| | B13 | Braunholtz, et al. "The Structure and Properties of Certain Polycyclic Indolo- and Quinolono-derivatives. Part XI. Derivatives of 4:5:5:7-Tetra-hydro-1-methyl-4-oxo-2: 3-benzazepine" JOURNAL OF THE CHEMICAL SOCIETY 3377-3386 (1958)" |
| | B14 | Proctor, et al. "Azabenzocycloheptenones. Part II. Dieckmann Cyclisation of Arylamino-esters" JOURNAL OF THE CHEMICAL SOCIETY. 2312-2314(1957) |
| | B15 | DATABASE CROSSFIRE BEILSTEIN BEILSTEIN INSTITUTE. Abstract |
| | B16 | Berry, et al. "Polychloromatic Compounds. Part V. Preparation and Oxidation of Pentachlorophenyl-substituted Tertiary Amines and Reactions of n-Buyl-lithium and other Nucleophiles with various Pentachlorophenyl Derivatives" JOURNAL OF THE CHEMICAL SOCIETY 1285-1294(1969) |
| | B17 | Koebel, et al. "Synthesis of Thieno[2,3-b]azepin-4-ones as Potential Antineoplastic Agents" JOURNAL OF MEDICINAL CHEMISTRY 18(2): 192-194 (1975) |

FORM PTO 1449 (modified)

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICELIST OF REFERENCES CITED BY APPLICANT(S)
(Use several sheets if necessary)

Date Submitted to PTO:

ATTY DOCKET NO.:
2645US0PSERIAL NO.:
10/070,329

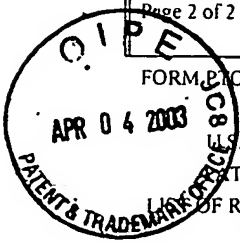
APPLICANT: IKEMOTO, T.

FILING DATE:
3/5/2002GROUP: tba
Examiner tba

OTHER DOCUMENT(S) (Continued)

| *EXAMINER INITIAL | REF No. | AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC. |
|----------------------|------------|--|
| | B18 | Holdsworth, et al. "N-Phenyl Pyrroles Derived from Phenacyl Laevulnic Acid" JOURNAL AND PROCEEDINGS OF THE ROYAL SOCIETY OF NEW SOUTH WALES 70: 431-436 (1936) |
| EXAMINER: | | DATE CONSIDERED: |

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/070,329
Filed: 3/5/2002
1st Inventor: IKEMOTO, T.
For: Process for the Preparation of 2,3-Dihydroazepine
Atty. Dkt. No. 2645 US0P

Art Unit:
Examiner: tba
Allowed:
Batch:
Paper No.:

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Itemized Papers/Items:

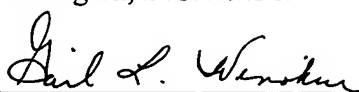
1. This Postcard and Certificate of Express Mailing (2 pages)
2. Transmittal Form (1 page X 2)
3. Information Disclosure Statement (1 page) with Form PTO 1449 (2 pages), and cited references (18)
4. Copy of Supplemental European Search Report dated JAN 16, 2003 (9 pages)

The undersigned hereby certifies that the above itemized papers are together being deposited with the Express Mail Post Office to Addressee service of the United States Postal Service (USPS) in an envelope with sufficient postage, having the USPS Express Mail Label No. shown above, and addressed to:

Commissioner for Patents
Washington, D.C. 20231.

on this date, 4/4/03

Dated: 4/4/03


Gail L. Winokur

Takeda Pharmaceuticals North America, Inc.
Intellectual Property Department
Suite 500, 475 Half Day Road
Lincolnshire, IL 60069 USA



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Approved for use through 10/31/2002. OMB 0651-0022
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| | | | |
|--|----------------------|------------------------|-----------|
| TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i> | Application Number | 10/070,329 | |
| | Filing Date | 3/5/2002 | |
| | First Named Inventor | IKEMOTO, T. | |
| | Group Art Unit | tba | |
| | Examiner Name | tba | |
| Total Number of Pages in This Submission | 16 | Attorney Docket Number | 2645 USOP |

| ENCLOSURES (check all that apply) | | |
|--|---|---|
| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Postcard Certificate of Express Mailing Form PTO 1449 Cited References Supplemental European Search Report |
| Remarks | | The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account 500799. |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | |
|--|---------------------------------------|
| Firm or Individual name | Mark Chao, Ph.D., JD, Reg. No. 37,293 |
| Signature | |
| Date | 4/4/03 |

| CERTIFICATE OF MAILING | | | |
|--|-----------------|------|--------|
| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class ^{EXPRESS} mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: 4/4/03 | | | |
| Typed or printed name | Gail L. Winokur | Date | 4/4/03 |
| Signature | | | |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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